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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

10
11 Susan Oster d/b/a/ Feral Jewelry, an
individual,

12 Plaintiff,

13 v.

14 Rainbow K Jewelry SAS, a French
15 joint-stock company; mytheresa.com
GmbH, a German entity; Schoola, Inc.
16 d/b/a/ Olivela.com, a Delaware
corporation; SoPicks, an Italian entity;
17 Eastward Bound Technology, Inc.
d/b/a/ Vugstyle, Inc., a Colorado
18 corporation; Last Resort, LLC, a
California company; and DOES 1-50,
19 inclusive,

20 Defendants.

Case No. 2:25-cv-04929 JLS (PDx)

Judge: Hon. Josephine L. Staton

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
DEFENDANT RAINBOW K
JEWELRY SAS' EX PARTE
APPLICATION FOR EXTENSION
OF TIME TO RESPOND TO
COMPLAINT**

*[Filed concurrently with Ex Parte
Application, Declaration of P. Branko
Pejic, and (Proposed) Order]*

21
22 Defendant Rainbow K Jewelry SAS ("Rainbow") submits this Memorandum
23 of Points and Authorities in support of its *ex parte* application seeking a 30-day
24 continuance of its time to respond to Plaintiff's Complaint in this action. This *ex*
25 *parte* application follows the failed attempt by counsel for Defendant to reach an
26 agreement with Plaintiff's counsel for a stipulation for some continuance of time to
27 allow Defendant to review the allegations of the Complaint and gather and review
28 related information and respond to the Complaint.

1 The Complaint in this action was served on June 4, 2025, making a response
2 to the Complaint due on June 25, 2025. Local Rule 8-3 provides that an extension of
3 time of up to 30 days to respond to an initial complaint does not require a Court
4 order, but can be stipulated to by the parties. Rainbow's counsel attempted to obtain
5 an extension of time to respond to Plaintiff's Complaint, but Plaintiff's counsel
6 refused to agree to any extension of time. Specifically, on June 13, 2025, counsel for
7 Rainbow, P. Branko Pejic¹, left a message with the assistant for Plaintiff's counsel,
8 Michael Saltz, seeking an extension, but Mr. Pejic received no response from
9 Mr. Saltz. (See Declaration of Branko Pejic "Pejic Dec." ¶ 4 submitted in support of
10 this application.) Mr. Pejic's paralegal then sent an email to Mr. Saltz (on June 18,
11 2025), again requesting an extension, but again received no response. (Pejic Dec., ¶
12 4, Exhibit 2.) On June 20, 2025, counsel for Rainbow, Edith Shea, sent another
13 email to Plaintiff's counsel, again requesting a response to Rainbow's request for an
14 agreement to a stipulation extending Rainbow's time to respond to the Complaint.
15 The email requested a 30-day extension, but stated: "If you would prefer to agree to
16 a shorter extension, please let us know that as well." (Pejic Dec., ¶ 4, Exhibit 3.) On
17 Monday, June 23, 2025, Plaintiff's counsel, Simone Poyourow, finally provided a
18 response to Rainbow's request, but refused to agree to any extension of time. (Pejic
19 Dec. ¶ 5, Exhibit 3.)

20 Good cause exists for the 30-day extension of time requested to respond to
21 Plaintiff's initial Complaint. Plaintiff filed a 49-page Complaint with 258
22 paragraphs of allegations. Rainbow's counsel, Greenblum & Bernstein, P.L.C., is
23 located in Reston, Virginia. It retained the undersigned as local counsel and sought
24 an extension to allow sufficient time to obtain the documents and information
25 related to Plaintiff's allegations, so that it may prepare an appropriate response to
26

27 ¹ Mr. Pejic is in the process of preparing a *pro hac vice* application, which will be
28 filed shortly.

1 Plaintiff's Complaint. Plaintiff's counsel has not articulated any reason for the
2 unusual refusal to agree to *any* extension of time to respond to the Complaint and
3 there is nothing in the Complaint that reflects any reason why an extension of time
4 would not be appropriate in this action.

5 Accordingly, Defendant Rainbow respectfully requests that the Court grant
6 this *ex parte* application and allow an additional 30 days – to and including July 25,
7 2025, to respond to Plaintiff's Complaint.

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9 Dated: June 24, 2025

BURKE, WILLIAMS & SORESENSEN, LLP

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11 By: s/ Edith Sanchez Shea

12 Edith Sanchez Shea
13 Attorneys for Defendant
14 Rainbow K Jewelry SAS
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CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Defendant Rainbow K Jewelry SAS, certifies that this brief contains 508 words, which complies with the word limit of L.R. 11-6.1.

Dated: June 24, 2025

BURKE, WILLIAMS & SORENSEN, LLP

By: s/ Edith Sanchez Shea

Edith Sanchez Shea
Attorneys for Defendant
Rainbow K Jewelry SAS